

THE HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOARD OF TRUSTEES OF THE
WESTERN METAL INDUSTRY
PENSION FUND,

Plaintiffs,

v.

TRI-WAY INDUSTRIES, INC., a
Washington Corporation, Washington UBI
No. 600 029 143,
Defendant.

NO. 2:24-cv-00295-JNW

ORDER GRANTING MOTION FOR
DEFAULT JUDGMENT
[PROPOSED]

This matter is before the Court on the motion of Plaintiff Board of Trustees of the Western Metal Industry Pension Fund's motion for entry of default judgment against Defendant Tri-Way Industries, Inc.

The Court has reviewed the motion and supporting papers, as well as the pleadings, files, and court records in this matter. Being otherwise fully advised, the Court ORDERS:

1. The Plaintiffs' motion for entry of default judgment against Tri-Way Industries, Inc. is GRANTED;
2. The Clerk of Court is directed to enter judgment for \$59,944.59 against Tri-Way Industries, Inc. consisting of the following amounts:

DEFAULT JUDGMENT – 1
CAUSE NO. 2:24-cv-00295-JNW

BARLOW COUGHRAN
MORALES & JOSEPHSON, P.S.
1325 FOURTH AVE., SUITE 910
SEATTLE, WA 98101
(206) 224-9900

- a. \$46,305.79 in delinquent fringe benefit contributions under ERISA for the January 2021 through December 2023 audit period;
 - b. \$4,630.60 in liquidated damages;
 - c. \$5,881.70 in accrued prejudgment interest;
 - d. \$2,381.50 in attorney fees under 29 U.S.C. §1132(g)(2);
 - e. \$745.00 in costs;
3. Interest shall accrue on all outstanding contributions at the 12% interest rate set forth in the applicable Trust Agreement;
 4. The Clerk is directed to enter judgments against Tri-Way Industries, Inc. consistent with this Order; and
 5. The Clerk of Court is directed to close the case.

Dated: April 2, 2025



Marsha J. Pechman
United States Senior District Judge

Presented by:

/s/ Noelle E. Dwarzski
Noelle E. Dwarzski, WSBA #40041
BARLOW COUGHRAN
MORALES & JOSEPHSON, P.S.
Attorneys for Plaintiffs

DEFAULT JUDGMENT – 2
CAUSE NO. 2:24-cv-00295-JNW

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